

G. R. S. IX-5]

Previous references.

Resum
1917-18
(Cmts) ✓

File No. 146-17

Serial Nos. 1 to 3

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B for May 1918

SUBJECT.

Raising the jurisdiction of
Munsiff's Court at Head Qrs
(D.R.A Subject No 78 of 1917 Dabara
Semin)

3) To the Registrar Chief Court-
" D.C. Kadar Dist.

No J 45-37-8 of 9-5-1918

Directs that it is inexpedient
to raise the jurisdiction of the Munsiff's
Court at Dist Head quarters.

W D 88-GPB-50,000-24-7-18

Mrd Absur Rahman
14. 5. 1918 *Attn*

GENERAL AND REVENUE SECRETARIAT.

(Can5)

NOTES.

File No. 146-17

FILE HEADING.

Raising the jurisdiction of Munsiff' Can5 at Dt Head Qrs.
(DA-A Subject no. 78 of 1917 - Dasara Senan).

From

No.	Dated		Received
Diary No. }	Enclos.	Spare Copies.	{ Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Extract from the statement of Promises
made by the Dewan during Dasara 1917: -

* * *
Order to issue before 1st April 1918

P. T. O.

G. R. S. III-2₁General and Revenue
Secretariat.

5 File No. 146 of 1917.

Serial
No.

2 / Subd with a draft to the Registrar, Chief
Court, as directed by the Asst Secy today.

App.
24/11

3 / Issue today

By
24/11

Sus A
24/11

1

To The Registrar
Chief Court

No 2734

21st Jan. 1918

Calls for opinion in the matter
of the merits of
of raising the jurisdiction of the
+
Head quarters.

9 1846

SUBJECT No: 78.

Raising the jurisdiction of Munsiffs' Courts at District Headquarters.

Messrs. B. Kesaviah and T. B. Mallegowda, Chikmagalur taluk.

4/ Summary of discussion.—The jurisdiction of Munsiffs' Courts at District Headquarters, where there are no Sub-Courts, may be raised to Rs. 5,000.

5 Reply of Government.—The Chief Court will be consulted.

SECRETARIAT
7-FEB 1918
Courts

6/ Submitted. The opinion of the Chief Court has already been called for; please see last page. An ordinary reminder was issued on 7-2-18:

Am
15/2

7/ Reply may be awaited.

8/ 15/2

8/ Reply is not yet received. Submitted for orders with reference to the extract from the Statute Book in para 1 of the notes in this file.

Am
13/3

Asking ^{print} reminder may issue later

8/ 14/3

Draft reminder sent.

Am
14/3

Issued
14/3

For the Registrar, Chief Court

No. 93799 of 14-3-18

Requests that the opinion of the Judges in the matter may kindly be furnished very early, as Govt wish to pass orders on the proposal before the end of this month.

Serial
No.

From the Registrar, Chieftain

no 677 / 17-18 of 16/3-18

States that the opinion of the Judges will be forwarded as soon as replies are received from the Judges.

Subd for order

26/3/18

A wait: map

26/3

for A
26/3/18

2

From

The same office no. 1.2.5.677 of 27.4.18

States that the majority of the judges of the lower courts are against the proposals & forwards the opinion of the judges - Draft subd.

26/3/18

on the question now under consideration the opinion of the Chief Court may be accepted. Otherwise there will be the inconvenience or anomaly of having two sets of courts of Munsiffs with different jurisdictions. As against Mr. Paramasiva Iyer's remarks it may be pointed out, that the jurisdiction of Rs 2500/- was fixed nearly 25 years ago. The ~~price of money~~ having gone down in value, there can really be no objection to raise the jurisdiction even to Rs 3000/- throughout the State. In fact, it was on this very ground that the jurisdiction of the Munsiffs throughout the Presidency of Madras was recently raised from Rs 2500/- to Rs 3000/-, and no inconvenience has been felt by the public. Draft in accordance with the

2534

G. R. S. III-2]

General and Revenue
Secretariat.

Cons File No. 146 of 1917-18.

Serial
No.

Views given chief commr is submitted for favour of
approval.

8/4/5

Just Members

Left

well

6/5

Issue

8/6/5

3971
6.5

3

So The Registrar can court
The D.C. Madras be

no 4537-8

9th May 1918

Direct that it is inexpedient
to raise the jurisdiction of the
Deansibbi courts at St. Paul quarters.

SUBJECT..... Calls for the opinion of the Chief Court
 re the proposal to raise the jurisdiction
 of Munsiffs at District Qrs

Diary No. of letter replied to

Section *Ch*
 File No. *14617*
 Serial No. *1*

GENERAL AND REVENUE SECRETARIAT

(Courts)

, the

191

No.

72734

Date of issue..... *21/1/18*

To

Signed by..... *M^r G. Srinivas*

The Registrar, Chief Court

Sir,

Summary of Discussion: The jurisdiction of Munsiffs' Courts at District Head quarters, where there are no Sub-Courts, may be raised to Rs 5,000.
 Reply of Gt: The Chief Court will be consulted.

Subject No 78:
 Raising the jurisdiction of Munsiffs' Courts at District Head quarters.
 Memo B. Narasimha
 and J. B. Mallekonda,
 Chickmagalur Tal.

I am directed to invite reference to Subject no 78 of the Representative Assembly of 1917 (Dasara Session) and the reply of Gt (therein) ^(vide margin) in the matter of raising the jurisdiction of the Munsiffs' Courts at District Head Quarters, and to request you to be so good as to favour Gt with the opinion of the Chief Court ^{on the subject} at a very early date.

J. Narasimha

21/1
 For Chief Secretary

21/1
Will

21/1

111
19 MAR 1918

R...C. No. 677/1917-18.

Chief Court of Mysore,
Bangalore,

Dated 16th March 1918.

18th

~~RECEIVED~~

From

N. T. Gopaliengar Esq., B.A., LL.B.,

Registrar of the

Chief Court of Mysore.

To

C. S. Balasundaram Iyer Esq., B.A.,

Chief Secretary to the Government of Mysore,

B a n g a l o r e.

S i r,

Adverting to your letter No.J. 3799 dated the 14th instant calling for the opinion of the Judges in the matter of raising the jurisdiction of the Munsiffs' Courts at District Head Quarters, I am directed to state that the opinion of the District Judges has been called for and reminders also sent. As soon as their replies are received the decision of the Judges will be forwarded to the Government.

I have the honor to be,

S i r,

Your most obedient servant,

N. T. Gopaliengar

R E G I S T R A R.

6

TSK

RECEIVED
JUDICIAL
19 MAR 1918

cls 3-30pm

J2225

SUBJECT.....
.....
.....

Diary No. of letter replied to..... J. 1840

Section

File No.

Serial No.

GENERAL AND REVENUE SECRETARIAT,
(Cants)
, the 191

No. J 3799

Date of issue..... 14.3.18

To

The Registrar, Chief Cant

Signed by M^r G. Srinivasan

Sir,

[Signature]

I am directed to write reference

to this office no 92734 - C 146 - 17 - 1 & 21.1.18

re raising the jurisdiction of the Municipal

Cant at District Head Quarters, and to

request that the opinion of the Judges in

the matter may kindly be furnished very

early, as Govt wish to pass order on the

proposal before the end of this month.

I have

[Signature]
for chief secy
over.

for
14/3

C. S. S. / 14/3

R.O.C.No. 677/1917-18.

J1064

111
30 APR 1918

Chief Court of Mysore,
Bangalore.

Dated 23rd April 1918.

29th
DIARY NO. 9255

From

N.T. GOPALIENGAR, Esquire, B.A., LL.B., *courier*
Registrar of the Chief Court of Mysore. 146-17

To

C.S. BALASUNDARAM IYER, Esquire, B.A.,
Chief Secretary to the Government of Mysore,
Bangalore.

S i r,

Adverting to your letter No. J.2734/Cts.146-17-1 dated the 21st January 1918 inviting the attention of this court to subject No. 78 of the Representative Assembly of 1917 (Dasara Session) and to the reply of the Government thereto in the matter of raising the jurisdiction of the munsiffs' courts at District Head Quarters and calling for the opinion of this court on the subject, I am directed to state that the majority of the judges of the lower courts who were consulted are against the proposal, and to forward herewith the enclosed opinions of the judges.

I have the honour to be,

Sir,

Your most obedient servant,

N.T. Gopalengar

REGISTRAR.

6

N.G.

cc 95
GEN. & REV. SECRETARIAT
III
JUDICIAL
1 MAY 1918

O P I N I O N S.

The Chief Judge :- I do not know what the object is unless to bring grist to the mill of practitioners at Hassan, Chickmagalur, Chitaldrug, Kolar and Tumkur and to save some travelling by parties and witnesses to Subordinate Judges' Courts. I do not myself think this object outweighs the disadvantages of having munsiffs with different jurisdictional powers in different parts of the State, and it would be better to appoint a Subordinate Judge to each head quarters station if it is necessary for convenience of parties.

Mr. Justice K.S.Chandrasekhara Aiyar:- I quite agree with the Chief Judge.

The number of Subordinate Judges may, I think, be increased as suggested.

Mr. Justice T. Paramasiva Iyer:- I agree. Rs. 2,500/- is in my opinion too high and I would, if there is to be a change, reduce it to Rs.1,500/. The original figure was Rs. 1,000/- and I think this was one of the sensible arrangements of olden days which we need not have altered. I say this with reference to the elementary principle that jurisdiction is limited with reference to pay and the temptation to go wrong.



Registrar.



N.G.

SUBJECT No raising the jurisdiction of the munsiffs' Courts at Dt. Head Quarters.

Diary No. of letter replied to.....

Section Bank

File No. 146-17

Serial No. 3

General and Revenue Secretariat

()

, the

191

Proceedings of the Government of

His Highness the Maharaja of Mysore.

Date of issue.....

9.5.18

Read.—

Subject no. 78 of the first ^{Dasara}

Signed by.....

M. G. Srinivas

Session of the Representative

Proceedings
Assembly of 1917 in the matter

of raising the jurisdiction of the

Munsiffs' Courts at District

Head Quarters & the reply of Govt.
thereto.

2. Correspondence ending

with ~~from~~ letter no. 677 of 29th
Order Thereon:— No.

April 1918 from the Registrar

of the Chief Court of Mysore

stating that the majority of the

judges of the lower courts who

over.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette
English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette
Kannada part?

were consulted are against the
proposal and forwarding the
opinion of the judges of the Chief
Court in the matter.

Order: J 4537-8

Govt., agreeing with the
Chief Court, are pleased to direct
that it is inexpedient to raise
the jurisdiction of the Munsiffs' Courts
at Dt. Head Quarters.

W. J. -

W. J.
6/5

do. ^{W. J.} for Chief Secy to Govt.

The Registrar, Chief Court of Mysore

" Deputy Commr, Kadur Dt, for
communication to the members
who moved the subject.

Copy to the R. A. Section - (sent)

List of enclosures.

KV
6-5-19

Copied by

Examined by